

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF OKLAHOMA**

THE CHEROKEE NATION,

Plaintiff

v.

CVS PHARMACY, INC., *et al.*

Defendants.

Case No. 18-CV-00056-RAW-SPS

Hon. Ronald A. White

**UNOPPOSED MOTION OF CVS PHARMACY, INC., OKLAHOMA CVS
PHARMACY, L.L.C., WALGREEN CO., AND WALMART INC. FOR A ONE-WEEK
EXTENSION TO FILE THEIR REPLY BRIEF IN SUPPORT OF THEIR
MOTION FOR JUDGMENT ON THE PLEADINGS [DOC. NO. 469]**

Defendants CVS Pharmacy, Inc., Oklahoma CVS Pharmacy, L.L.C, Walgreen Co., and Walmart Inc. (“Defendants”) respectfully request an extension of one week to file their Reply Brief in support of their Motion For Judgment On The Pleadings (“Motion for Judgment”) [Doc. No. 469]. In support of the request, Defendants state as follows:

1. On December 13, 2021, Defendants filed their Motion for Judgment. [Doc. No. 469.]
2. On January 14, 2022, Plaintiff filed its Response to the Motion for Judgment. [Doc. No. 499.]
3. Pursuant to LCvR 7.1(e), Defendants’ Reply Brief is due January 28, 2022.
4. Plaintiff has agreed to extend the deadline by one week, namely from January 28, 2022 to February 4, 2022.
5. The reason for the request is not for delay, but rather is to fully address the complicated issues presented.
6. There have been no other requests for an extension of this deadline.

7. This requested extension should not have an effect on the scheduled trial or other deadlines.

WHEREFORE, Defendants respectfully request the Court extend their deadline to file their Reply Brief in support of their Motion for Judgment by one week, thus February 4, 2022.

Respectfully submitted,

/s/ G. Calvin Sharpe

G. Calvin Sharpe, OBA No. 11702
Amy D. White, OBA No. 19255
PHILLIPS MURRAH P.C.
Corporate Tower, 13th Floor
101 North Robinson Avenue
Oklahoma City, Oklahoma 73102
Telephone: (405) 235-4100
Facsimile: (405) 235-4133
gcsharpe@phillipsmurrah.com
adwhite@phillipsmurrah.com

Eric R. Delinsky, (admitted *pro hac vice*)
Alexandra W. Miller,
(admitted *pro hac vice*)
Paul B. Hynes, Jr., (admitted *pro hac vice*)
Margarita K. O'Donnell,
(admitted *pro hac vice*)
ZUCKERMAN SPAEDER LLP
1800 M Street, NW, Suite 1000
Washington, D.C. 20036
Telephone: (202) 778-1800
Facsimile: (202) 822-8106
edelinsky@zuckerman.com
smiller@zuckerman.com
phynes@zuckerman.com
modonnell@zuckerman.com

Conor B. O'Croinin,
(admitted *pro hac vice*)
William J. Murphy,
(admitted *pro hac vice*)
J. Michael Pardoe, (admitted *pro hac vice*)
ZUCKERMAN SPAEDER LLP
100 East Pratt Street, Suite 2440

/s/ Amy Sherry Fischer

(signed by filing attorney with permission)
Larry D. Ottaway, OBA No. 6816
Amy Sherry Fischer, OBA No. 16651
FOLIART HUFF OTTAWAY & BOTTOM
201 Robert S Kerr Avenue, 12th Floor
Oklahoma City, Oklahoma 73102
Telephone: (405) 232-4633
Facsimile: (405) 232-3462
larryottaway@oklahomacounsel.com
amyfischer@oklahomacounsel.com

Laura Jane Durfee
Andrew Junker
JONES DAY
2727 North Harwood Street
Dallas, Texas 75201
Telephone: (214) 969-5150
ldurfee@jonesday.com
ajunker@jonesday.com

Jason Varnado
JONES DAY
717 Texas, Suite 3300
Houston, Texas 77002
Telephone: (832) 239-3939
Facsimile: (832) 239-3600
jvarnado@jonesday.com

Counsel for Defendant Walmart Inc.

Baltimore, Maryland 21202-1031
Telephone: (410) 332-0444
Facsimile: (410) 659-0436
cocroinin@zuckerman.com
wmurphy@zuckerman.com
mpardoe@zuckerman.com

***Counsel for Defendants
CVS Pharmacy, Inc., and
Oklahoma CVS Pharmacy, L.L.C.***

/s/ Steven E. Holden
(signed by filing attorney with permission)
Steven E. Holden
OBA No. 4289
HOLDEN LITIGATION, HOLDEN P.C.
15 East 5th Street, Suite 3900
Tulsa, Oklahoma 74103
Telephone: (918) 295-8888
Facsimile: (918) 295-8889
steveholden@holdenlitigation.com

/s/ Robert B. Tannenbaum
(signed by filing attorney with permission)
Steven E. Derringer (admitted *pro hac vice*)
Robert B. Tannenbaum (admitted *pro hac vice*)
BARLIT BECK LLP
54 West Hubbard Street, Suite 300
Chicago, Illinois 60654
Telephone: (312) 494-4400
Facsimile: (312) 494-4440
steven.derringer@bartlitbeck.com
robert.tannenbaum@bartlitbeck.com

Counsel for Defendant Walgreen Co.

CERTIFICATE OF SERVICE

I hereby certify that on January 19, 2022, the foregoing document was served on counsel of record in this action via electronic service through CM-ECF.

/s/ G. Calvin Sharpe